

Staff Summary Report



To: Mayor and City Council
Through: City Manager

Agenda Item Number 73
Meeting Date: 07/19/01

SUBJECT: MAACO #ZON-2001.05 #SIP-2001.41

PREPARED BY: Hector Tapia, Senior Planner (480-350-8331)

REVIEWED BY: Dave Fackler, Development Services Manager (480-350-8333)

q-j

BRIEF: This is the second public hearing for Maaco for a zoning change from AG to I-1 and a site plan at 1992 East University Drive.

COMMENTS: **PLANNED DEVELOPMENT (0406)** Hold the second public hearing for **MAACO** (Mike Kern, property owner) who is requesting a zoning change from AG to I-1 and a site plan for a 8,771 s.f. building for office and auto body/paint shop located at 1992 East University drive. The following approvals are requested from the City of Tempe:

#ZON-2001.05 ORDINANCE NO. 808.2001.05 Zoning change from AG, Agricultural, to I-1, Industrial, on 1.38 net acres.

#SIP-2001.41 A Site Plan for a 8,771 s.f. building for an office, auto body/paint shop on 1.38 net acres located at 1992 East University Drive, including the following:

Variance:

1. Reduce the minimum required side yard building setback from 12' to 0' along the west side property line in the I-1 Zoning District.
2. Waive the required landscape islands at the end of parking rows east and north of the proposed building for phase I only.

Document Name: 20010719devsrh16

Supporting Documents: Yes

SUMMARY: This request is for a zoning change from AG, Agricultural to I-1 and a Site Plan for an 8,771 s.f. building for an auto body and paint shop business. This proposal includes two variances. One is to reduce the minimum required side yard building setback from 12 feet to 0 feet. The second variance is to waive the required landscape islands at the end of parking rows in an area east and north of the proposed building. The subject parcel, an odd shape property of 1.38 net acres, is 75 feet wide, fronting University Drive, 110 feet at the north side property line, and is 660 feet long. The zoning change to I-1 is compatible with adjacent zoning (east and west). The proposed auto body and paint shop is an allowed use in the I-1. Due to the narrow shape of the parcel, staff feels that the variances are justifiable. This will allow the applicant to design a more functional building that works on this site. To date, no public input has been received.

RECOMMENDATION: Staff – Approval
Public – None
Planning Commission, Design Review Board - Approval

- ATTACHMENTS:**
- 1. List of Attachments
 - 2-3 History & Facts / Description/Comments
 - 4-5 Conditions of Approval
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- A. Location Map
 - B. Site Plan
 - C. Elevations
 - D. Floor Plan
 - E. Conceptual Landscape Plan
 - F. Letter of Explanation/Intent
 - G. Property Owner's Authorization Letter
 - H. Ordinance No. 808.2001.05
 - I. Aerial Photo

HISTORY & FACTS:

April 4, 2001. A single family home built in 1950 was demolished to clear the way for this proposal, MAACO.

May 22, 2001. Planning Commission approved this request on a 4-3 Vote.

June 6, 2001. Design Review Board approved this request with conditions.

June 7, 2001. City Council Held the first public hearing.

DESCRIPTION: Property Owner – Mike Kern
Applicant – Joe Diemer
Architect - Diemer and Associates
Existing zoning – AG, Agricultural
Proposed zoning – I-1
Total site area – 1.38 net acres
Total bldg. area – 8,771 s.f.
Lot coverage – 14%
Parking required – 29 spaces
Total Parking provided – 33 spaces
Bicycle parking required - 3
Bicycle parking provided - 4
Minimum Landscaping Required – 10%
Landscape Provided – 17.3%

COMMENTS: This request is for a zoning change from AG, Agricultural to I-1 and a Site Plan for an 8,771 s.f. auto body and paint shop building. This proposal includes two variances. One is to reduce the minimum required side yard building setback from 12 feet to 0 feet. The second variance is to waive the required landscape islands at the end of parking rows in an area east and north of the proposed building.

General Plan 2020

The General Plan 2020 Projected Land Use Map designates the subject parcel as Industrial. The proposed use is consistent with that projected land use designation.

Zoning

The zoning change request from AG to I-1 is compatible with existing zoning east and west of this property. Staff supports the zoning change to I-1 since the uses allowed in I-1 are more compatible with adjacent zoning and existing uses west and east of this property.

Site

The subject parcel, an odd shape property of 1.38 net acres, is 75 feet wide, fronting University Drive, 110 feet at the north side property line, and is 660 feet long. A 30 feet wide driveway provides the only ingress and egress from and into this site. Customers parking will be provided at the front yard area of the site screened by a 3 feet high wall, north of the retention area. The rest of the parking areas will be located at the east and north side of the proposed building, behind a wrought iron fence and gate. Due to the narrow shape of the parcel and since the parking area, subject for one of the variances, is screened from public view from University Drive, staff feels that the proposed variances are justifiable. This will allow the applicant to design a more functional building that works on this site. Staff recommends approval subject to the attached conditions. To date, no public input has been received.

RECOMMENDATION: **Approval, Zoning Change from AG to I-1 and two variances.**

**REASON(S) FOR
APPROVAL:**

1. The proposed zoning, I-1, change is consistent with existing zoning of adjacent properties and with the Projected Land Use Map of General Plan 2020.
2. Due to the irregular shape of the subject property, the requested side yard building setback variance appears justifiable. The landscape islands, at the end of parking rows, appear unnecessary since they would not viewed from University Drive and since that area in question would be primarily used for vehicles waiting for service or after the service is completed.

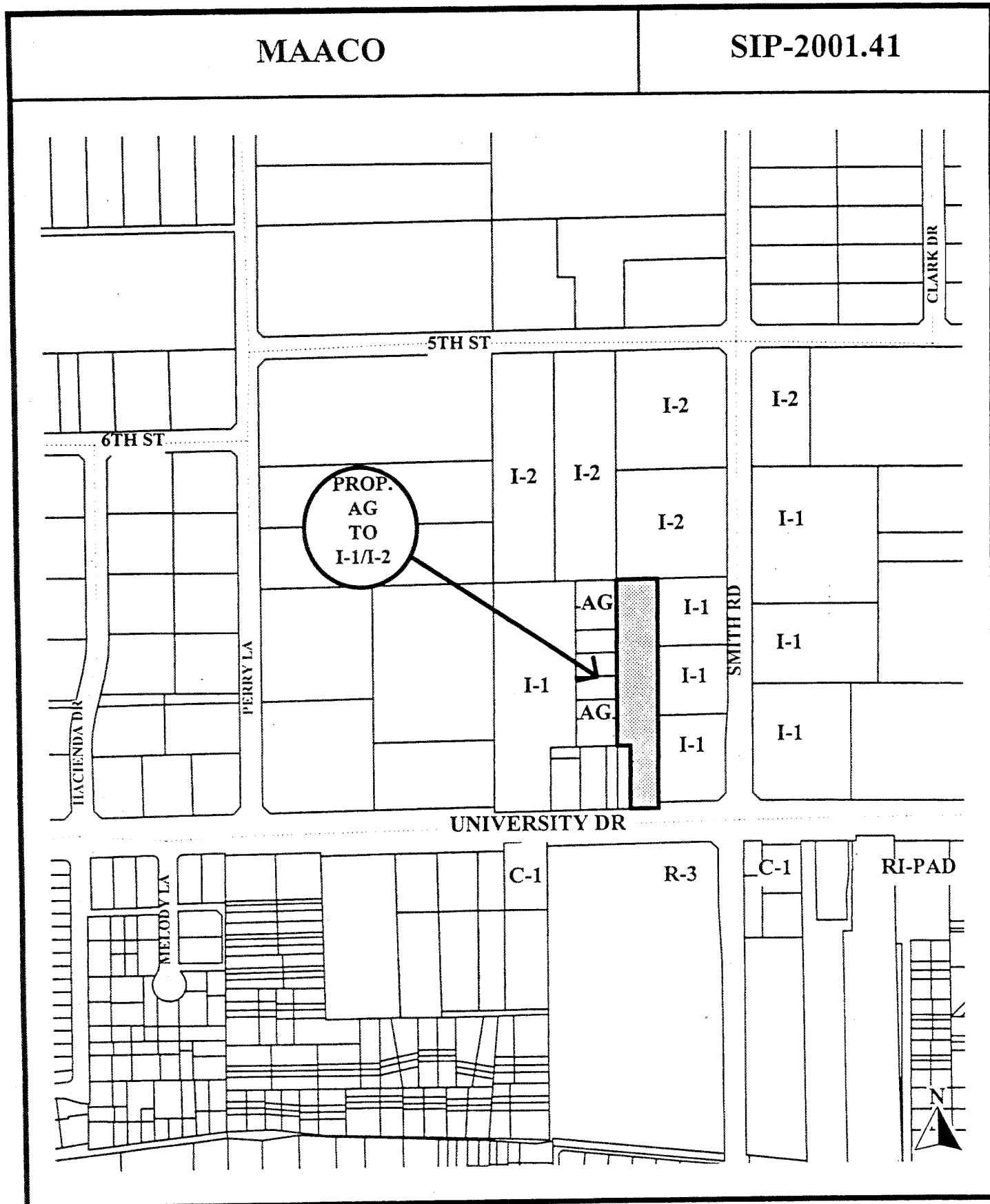
**CONDITION(S)
OF APPROVAL:**

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
- b. Off-site improvements to bring roadways to current standards include:
 - (1) Water lines and fire hydrants
 - (2) Sewer lines
 - (3) Storm drains.
 - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.
- c. Fees to be paid with the development of this project include:
 - (1) Water and sewer development fees.
 - (2) Water and/or sewer participation charges.
 - (3) Inspection and testing fees.
- d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
2. a. All street dedications shall be made within six (6) months of Council approval.
- b. Public improvements must be installed prior to the issuance of any occupancy permits. The Public Works Department shall approve any phasing.
- c. All new and existing as well as on-site and off-site utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this development and in accordance with the Code of the City of Tempe - Section 25.120.
3. Should the property be subdivided, the owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.
4. Future property lines without the prior approval of the City of Tempe may create no variances.
5. A valid building permit shall be obtained and substantial construction commenced within one year of the date of Council approval or the variances shall be deemed null and void.

6. A building permit shall be obtained and substantial construction commenced within two (2) years of the date of Council approval or the zoning shall revert to that in place at the time of application, subject to a public hearing.
7. The applicant shall comply with all applicable state and federal laws regarding archeological artifacts on this site.
8. The applicant shall resolve all lighting and security details with the Police Department prior to the issuance of a building permit.

MAACO

SIP-2001.41

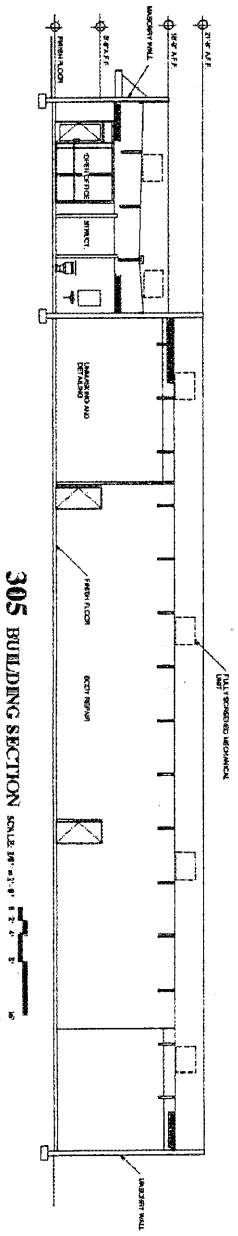
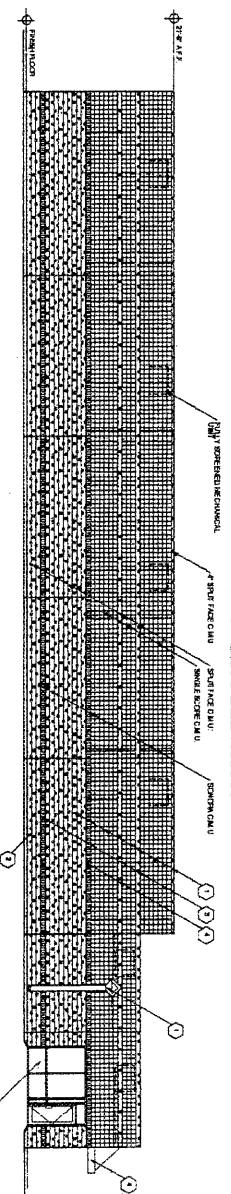
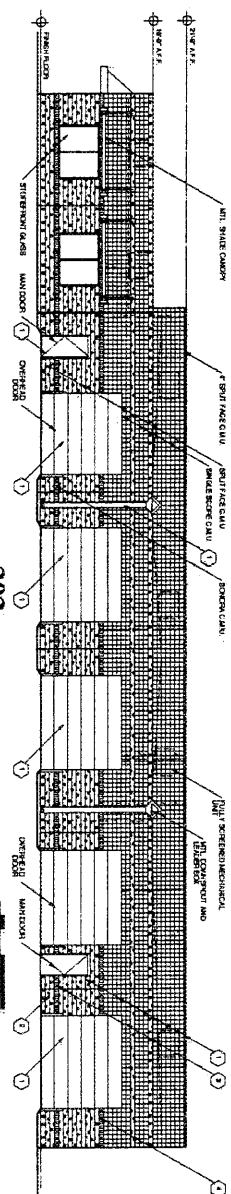
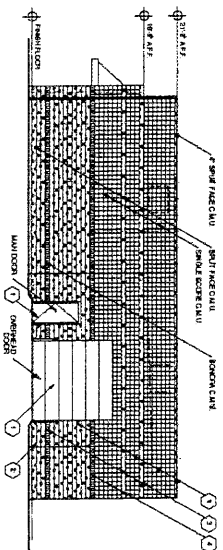
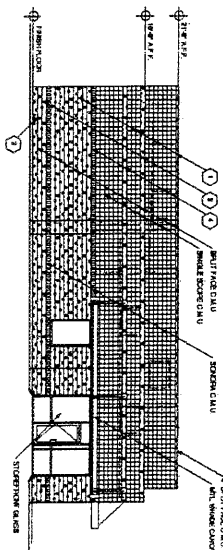


Location Map SEE OTHER SIDE FOR MORE INFORMATION

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project no. 1881 drawing no. DR3 of	A NEW FACILITY FOR MAACO BY LGE CORPORATION			drawn by	Cp	date	4/1/01	copyright © 2001 by diemer + associates / architects + planning, ltd. this shall be an addition from these drawings or any subsequent work without written consent of the architect
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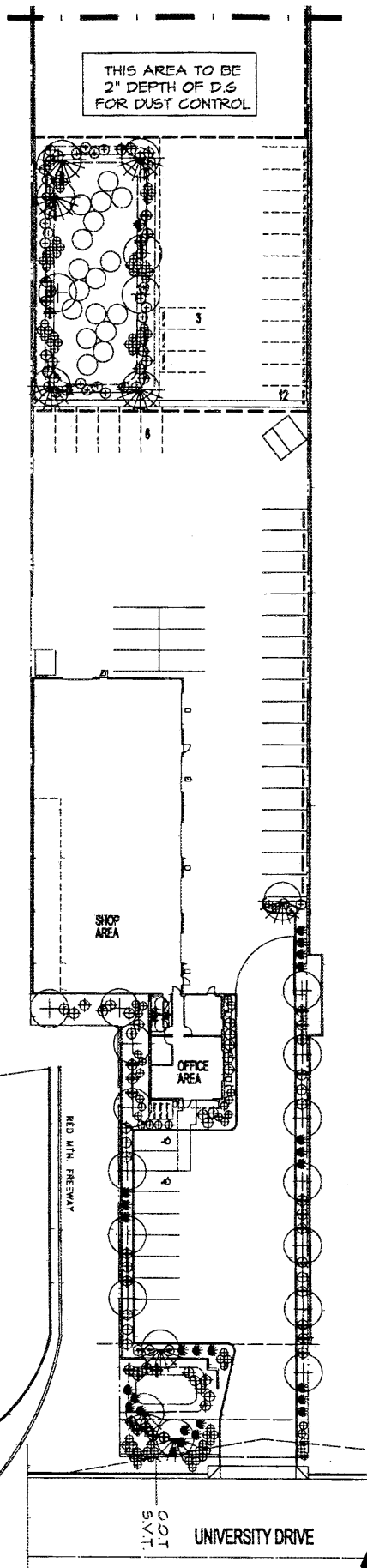
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LANDSCAPE LEGEND

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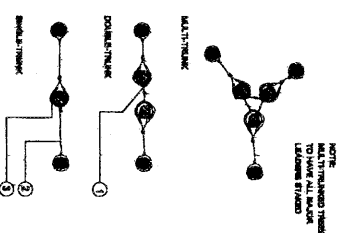
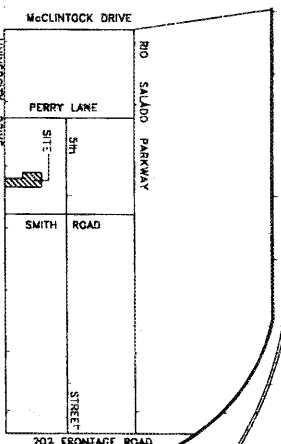
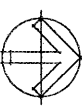
LANDSCAPE NOTES

THE ENTIRE SITE WILL BE MAINTAINED IN ACCORDANCE WITH TEMPE STANDARDS.
 ALL PARKING LOT FINGERS WILL RECEIVE 1 1/2 GALLON TREE AND 5 5 GALLON SHRUBS PER SINGLE ROW OF PARKING.
 ALL PLANT MATERIAL WITHIN THE CITY OF TEMPE SIGHT DISTANCE TRIANGLES WILL BE SELECTED FROM THE TEMPE APPROVED SIGHT DISTANCE TRIANGLE LIST.
 ALL LANDSCAPE AREAS WILL BE TOP-DRESSED WITH A 2\"/>

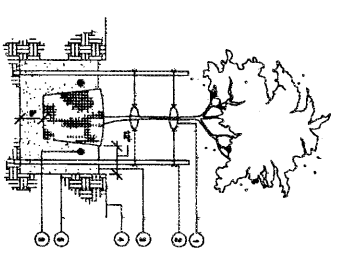
LANDSCAPE PLAN



LOCATION PLAN

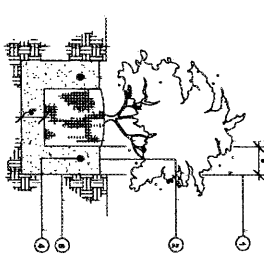


TREE GUYING DETAIL



DOUBLE STAKING DETAIL

SHRUB PLANTING DETAIL



T.J. McQUEEN & ASSOCIATES, INC.
 LANDSCAPE ARCHITECTURE
 1121 East University
 Phoenix, Arizona 85014
 (602) 263-2320
 (FAX) 266-6819 (C-MAIL) TMAC@DISHNET.COM



project no. 000

drawing no. **L1.1**

diemer • associates / architecture • planning ltd.

NEW FACILITY FOR
MACCO
 BY
LGIE CORPORATION

2716 THURSTON & COMPANY

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April 23, 2001

Rezoning Application with Variances

RE: MAACO
1992 E. University Drive
Tempe, Arizona

This application is for Rezoning of the described property from AG to I-1 and I-2 and variances to reduce the side yard set-back for a portion of the proposed I-1 district from 12' to 0 feet at the west property line, the omission of any required landscaping along the west property line and the omission of parking lot landscape islands north of the south overhead door into the building.

APR 24 2001

F

fax (480) 921-4073

diemer • associates / architecture • planning ltd.
4636 east university dr. • suite 250 phoenix, arizona 85034 (480) 894-0888

April 23, 2001

Hearing Officer/Board of Adjustments

RE: MAACO
1992 E. University Drive
Tempe, Arizona

1. The site is very narrow and long, making it very difficult to site a usable building.
2. This condition had existed for many years prior to the owner acquiring the property.
3. The variances are necessary for the preservation and enjoyment of the substantial property rights because without them a reasonable amount of building coverage and the utilization of the building and site can not be obtained as otherwise allowed in the district.
4. These variances will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, or to the neighborhood or the public welfare due to the proximity of the various adjacent uses.

F₁

APR 24 2001

Apr 23 01 04:57p

EBS & Associates

(602)956-4411

p.2

April 23, 2001

Mr. Joe Diemer
Diemer Associates
4336 E. University Drive
Suite 250
Phoenix, Arizona 85034

Re: 1992 E. University Drive, Tempe, Arizona

Dear Joe:

This letter shall serve as authorization to commence the re-zoning process for the above mentioned property in the city of Tempe.

If you have any other questions, please call me at 480-483-0608.

Sincerely,
Olde World Title

Mike Kern

Mike Kern

APR 24 2001

G

ORDINANCE NO. 808.2001.05

AN ORDINANCE AMENDING SECTION I OF PART 2.F. OF
ORDINANCE NO. 808 OF THE CITY OF TEMPE AND THE
DISTRICT ZONING MAP ACCOMPANYING AND MADE
PART OF THE SAID ORDINANCE NO. 808.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, as follows:

SECTION 1. That Section I.2.F. of Ordinance No. 808 of the Zoning Ordinance
of the City of Tempe and the District Zoning Map of the City of Tempe accompanying and made
a part of the said Ordinance No. 808 be and they are hereby amended by removing the below
described property from the AG Agricultural and including it in the I-1 and I-2 Industrial.

LEGAL DESCRIPTION

Parcel No. 1

Beginning at a point 210.00 feet North and 220.00 feet
West of the Southeast corner of the Southeast quarter of the
Southwest quarter of Section 13, Township 1 North, Range
4 East of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona;
thence North 450.00 feet;
thence West 110.00 feet;
thence South 450.00 feet;
thence East 110.00 feet to the Point of Beginning;

EXCEPT a portion of the Southwest quarter of Section 13,
Township 1 North, Range 4 East of the Gila and Salt River
Base and Meridian, Maricopa County, Arizona and more
particularly described as follows:

Beginning at the Northwest corner of the South 660.00 feet
of the East 220.00 feet of said Southwest quarter;
thence South 01° 14' 16" West, along the West line of the
said East 22.00 feet, a distance of 7.71 feet;

H

thence North 89° 30' 01" West, a distance of 110.00 feet;
thence North 01° 14' 16" East, parallel and 330.00 feet
West of the East line of said Southeast quarter a distance of
6.74 feet;
thence East, parallel and 660.00 feet North of the South line
of said Southwest quarter, a distance of 110.00 feet to the
Point of Beginning.

Parcel No. 2

Beginning at a point 220.00 feet West of the Southeast corner of the
Southeast quarter of the Southwest quarter of Section 13, Township 1
North, Range 4 East of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona;
thence North 210.00 feet;
thence West 75.00 feet;
thence South 210.00 feet;
thence East 75.00 feet to the Point of Beginning.

Combined described property being in and forming a part of the City of
Tempe Arizona and comprising an area of 1.4105 acres more or less.

SECTION 2. Further, those conditions of approval imposed by the City Council,
Case #ZON-2001.05 are hereby expressly incorporated in ordinance by this reference.

PASSED AND ADOPTED by the City Council of the City of Tempe, Arizona,
this ____ day of _____, 2001.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Development Services Director

H.


NORTH

